GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Registration & Stamps Department – Exemption of Stamp Duty and Registration Fees for the lands leased to Primary Agriculture Co-operative Societies (PACS) by the Agriculture Co-operative Department for construction of Godowns under Section 9(1) (a) of the Indian Stamp Act, 1899 and under Section 78 of Registration Act, 1908 – Orders – Issued.

REVENUE (REGN.I) DEPARTMENT

G.O.MS.No. 212 **Dated: 06-08-2021**

Read the following:

1. G.O Ms. No. 12, Agriculture & Co-operation (MKTG.II) Department, dated:24.03.2021.
2. From the Agriculture Co-operative Department, e-file AGC01-COOP0FACS/63/2021-COOP-II, Computer No.1464239.
3. From the Commissioner & Inspector General, R&S, Vijayawada in Letter.No.S2/425/2021, dated:28.07.2021.

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ORDER:

The Government of Andhra Pradesh is committed to welfare of its citizens and has undertaken number of steps to bring in qualitative improvement in the service delivery to the people of Andhra Pradesh. Further the Government is committed to implement and decentralize governance through a transparent and effective mechanism for public service delivery with an aim to improve living standards of the people. The Government have taken a number of steps in this direction to fulfil the avowed objectives of provision of various government services at the door steps of citizens and enable convergence of all line departments to achieve the said objective. Step in this direction for proper implementation and institutionalization of the concept of NAVARATHNALU as core theme of governance has been initiated.

2. In the Agriculture sector, with the vision of transforming Primary Agriculture & Cooperative Societies (PACS) as Multi- Purpose Facility Centres, Department of Agriculture Marketing, Govt. of AP has identified 807 PACS for construction of Godowns.

3. Accordingly, In the reference 1st read above, the District Collectors have been instructed to hand over suitable encumbrance free land to Co-operation Department for free of cost so that the Department in turn leases them to Primary Agriculture & Co-operative Societies (PACS) at nominal rate for constructing godowns and other Infrastructure.

4. In the reference 2nd read above, the Agriculture & Cooperative Department has informed that the Government of AP with an objective to develop farm gate infrastructure across the state at Raithu Bharosa Kendras level, has proposed to avail the Central Government Agriculture Infrastructure Fund scheme, for which refinance facility is available from NABARD. Under the scheme, loan will be sanctioned to Primary Agriculture & Cooperative Societies (PACS) at 4% per annum and interest subvention of 3% will be available for a maximum period of 7 years. The Revenue Department has initiated handing over possession of the Lands to Cooperation Department, and also stated that, around 50% of the Primary Agriculture & Cooperative Societies (PACS) in the State are running on losses. Out of the balance 50%, around 20%-25% of the Primary Agriculture & Cooperative Societies (PACS) are running on mere marginal profits. Though the

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remaining PACS are running on profits, as multiple projects have been allotted for each Primary Agriculture & Cooperative Societies (PACS) under AIF, even the healthy Primary Agriculture & Cooperative Societies (PACS) are finding it difficult to bear the initial investment towards beneficiary contribution/ margin money. Hence, Government was requested to provide support towards margin money contribution.

5. Further the Agriculture & Cooperative Department has stated that, the Government had initially sanctioned 10% margin money support as grant to Primary Agriculture & Cooperative Societies (PACS). But, modifying the earlier orders partially, the Government have sanctioned the Margin money in form of loan to Primary Agriculture & Cooperative Societies (PACS) to roll out the project vide G.O.Rt No.373, Agri. & Coop. (Coop-II) Dept., dt.30.06.2021. This support from Government though beneficial initially to roll out the project, has not reduced the financial burden on Primary Agriculture & Cooperative Societies (PACS). Adding to their financial burden, as per Section 29 Clause 57 (e) of Indian Stamps Act, 1899, Stamp duty and Registration fee also need to be paid by Primary Agriculture & Cooperative Societies (PACS) / Lessee while entering into a Lease Agreement with the Department for the lands.

6. In the reference 3rd read above, the Commissioner & Inspector General, Registration & Stamps, Vijayawada has stated that the Government is the competent authority to exempt stamp duty under section 9 of I.S. Act, 1899 and registration fee under section 78 of registration Act, 1908.

7. Government have been giving focussed attention to incentivising agriculture sector and to hasten agriculture growth through a multi-sectoral approach and promotional activities by implementation of sectoral policies & Schemes so as to ameliorate the living standards of farmers. Majority of the farmers covered by this proposal are small and marginal farmers who have made endeavour by investing time and money to make the lands productive and fertile.

8. Further, the scheme is for the welfare of the farmers and Primary Agriculture & Cooperative Societies (PACS) are only platform through which these benefits will be availed by all the farmers in that particular Rythu Bharosa Kendra, it is necessary to provide all possible incentives for the farmers.

9. In the light of the above, Government after careful examination have decided to issue notification waiving Stamp Duty as required under section 9 of Indian Stamp Act, 1899 and registration fee under Section 78 of Registration Act, 1908 exempting Stamp duty and Registration charges for Primary Agriculture & Co-operative Societies (PACS) who are availing leased land from the Government for construction of godowns.

10. Accordingly, the following notifications will be published in an Extra-ordinary issue of the Andhra Pradesh Gazette, Dated:06th August, 2021.

NOTIFICATION – I

In exercise of the powers conferred by clause (a) of Sub-section (1) of Section 9 of the Indian Stamp Act, 1899, the Governor of Andhra Pradesh hereby exempt Primary Agriculture & Co-operative Societies (PACS) who are availing leased land from the Government for construction of godowns from payment of Stamp Duty in favour of the farmers.

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NOTIFICATION – II

In exercise of the powers conferred by Section 78 of the Registration Act, 1908, the Governor of Andhra Pradesh hereby makes the following amendment to the Item 1 of Category-I of "Table of Fees" issued in G.O.Ms.No.463, Revenue (Registration-I) Department, dated 17th August, 2013, and published at pages 1-3 of Part-I of extra-ordinary issue of Andhra Pradesh Gazette dated 26th August, 2013 as subsequently amended from time to time.

AMENDMENT

In the said "Table of Fees" after Item 6 (h), the following shall be added, as 6 (m) namely: (m) No registration fee shall be leviable on Primary Agriculture & Co-operative Societies (PACS) who are availing leased land from the Government for construction of godowns.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery and Stores Purchase (Printing Wing), A.P.
(He is requested to publish the notification and furnish (25) copies to the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, Edupugallu, Vijayawada and (25) copies to the Government.
The Commissioner and Inspector General of Registration and Stamps,
Andhra Pradesh, Vijayawada.
All the District Collectors in the state.
Copy to:
The P.S. to Prl. Advisor to Chief Minister.
The OSD to Deputy Chief Minister (Revenue, Registrations & Stamps).
The P.S. to Spl. Chief Secretary to Government, Revenue (CT, Excise & R&S).
The P.S. to Spl. Chief Secretary to Government, Agriculture & Co-operation Department.
The P.S. to Prl. Secretary to Government, Revenue Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER